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United States Courts
Southern District of Texas
ENTERED

NOV 27 2001

Michael N. Milby, Clerk of Court

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA
ex rel. CARL DAVIS,

Plaintiff,

v.

FLORENT LUC LITALIEN,

Defendant.

UN-SEALED PER CRD

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CIVIL ACTION NO. H-00-4540

UNITED STATES OF AMERICA,
ex rel. CARL DAVIS,

Relator-Plaintiffs,

v.

FLORENT LUC LITALIEN and
BONNIE LITALIEN,

Defendants.

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CIVIL ACTION NO. H-01-3142

ORDER OF CONSOLIDATION

Qui Tam Plaintiff, Carl Davis, has filed a second cause of action docketed under Civil Action No. H-01-3142, the subject of which is the same as the subject of the *qui tam* action that he and Howard Kahmann filed under Civil Action No. H-00-4540. Qui Tam Plaintiff Carl Davis has also stated that Howard Kahmann has "absconded from his parole and has fled the jurisdiction of Texas to parts unknown to Carl Davis" and that Kahmann will therefore no longer participate in the action. Based on this representation, it is

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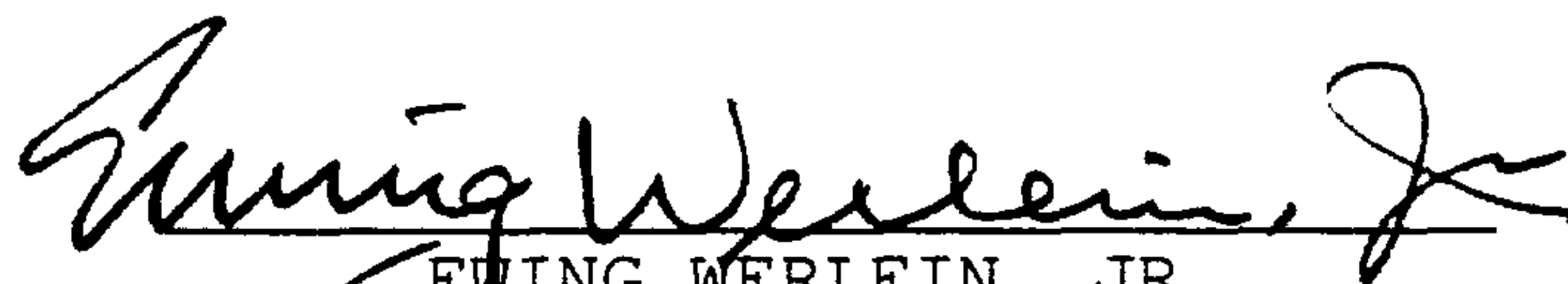
ORDERED that *Qui Tam* Plaintiff Howard Kahmann is DISMISSED for want of prosecution as a *qui tam* plaintiff in this action provided, however, that the Court will reinstate Kahmann as a *qui tam* plaintiff in the event that he files a request to be reinstated and shows good cause therefor within thirty (30) days after the entry of this Order. It is further

ORDERED that the two above captioned cases are CONSOLIDATED, and henceforth all pleadings herein will be filed under Civil Action No. H-00-4540.

SO ORDERED.

The Clerk will enter this Order and provide a correct copy to all counsel of record.

SIGNED at Houston, Texas, on this 21ST day of November, 2001.


EWING WERLEIN, JR.
UNITED STATES DISTRICT JUDGE